

HUNT & HENRIQUES  
ATTORNEYS AT LAW  
Michael S. Hunt # 99804  
Kurtiss A. Jacobs # 218950  
151 Bernal Road #8  
San Jose CA 95119-1306  
Telephone: (408) 677-5822  
Facsimile: (408) 360-8482

Attorneys for Defendants  
File No. 777695

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Raymond J. Smith,,

Plaintiff,

vs.

Hunt & Henriques, et al.,

Defendants.

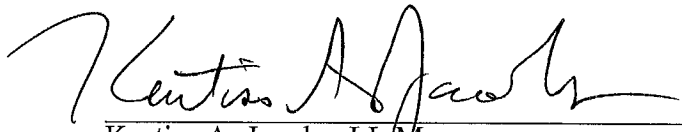
Case no. CV12-04150 HRL

**Opposition to request for leave to file a motion for reconsideration**

On February 6, the court ordered, "Plaintiff's failure to respond to this Order and to appear at the February 27, 2013 hearing will result in dismissal with prejudice for failure to prosecute." (Docket 13.) Plaintiff's response "promise[d] to the best of his abilities not to miss another date or deadline set by the Court regarding this case." (Docket 15.) Plaintiff missed *the very next hearing*. His request for a do-over is based on a court comment that his response due February 20 was not filed until February 22; this was irrelevant because he missed the mandatory hearing.

Defendants request that the court not grant leave to file a motion for reconsideration.

Respectfully submitted,



Kurtiss A. Jacobs, LL/M.  
Attorney for Defendants

HUNT & HENRIQUES  
ATTORNEYS AT LAW  
Michael S. Hunt # 99804  
Kurtiss A. Jacobs # 218950  
151 Bernal Road #8  
San Jose CA 95119-1306  
Telephone: (408) 677-5822  
Facsimile: (408) 360-8482

Attorneys for Defendants  
File No. 777695

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

Raymond J. Smith,  
Plaintiff,

vs.

Hunt & Henriques,  
Michael S. Hunt, and  
Janalie Henriques,

Defendants

Case No. CV12-04150 HRL

**PROOF OF SERVICE**

**PROOF OF SERVICE**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

I am a citizen of the United States and employed in the County of Santa Clara, State of California; I am over the age of 18 years and not a party to the within entitled action; my business address is 151 Bernal Road Suite 8, San Jose, California 94119-1306.

On March 27, 2013 I served the foregoing documents, described as

- **Opposition to request for leave to file a motion for reconsideration.**

on the interested parties to said action by the following means:

XXX (By Mail) By placing a true copy thereof, enclosed in a sealed envelope with postage thereon fully prepaid, for collection and mailing on that date following ordinary business practices, in the United States Mail at the offices of HUNT & HENRIQUES, California, addressed as shown below. I am readily familiar with this business's practice for collection and processing of correspondence for mailing with the U.S. Postal Service, and in the ordinary course of business correspondence would be deposited with the U.S. Postal Service the same day it was placed for collection and processing.

\_\_\_\_\_ (By Mail) By placing a true copy thereof, enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Mail at San Jose, California, addressed as shown below.

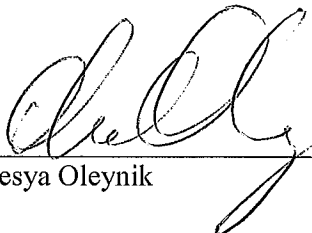
\_\_\_\_\_ (By Hand Delivery) By causing a true copy thereof, enclosed in a sealed envelope, to be delivered by hand to the addresses shown below.

\_\_\_\_\_ (By Personal Service) By personally delivering a true copy thereof, enclosed in a sealed envelope, to the addresses shown below.

\_\_\_\_\_ (By Overnight Delivery) By placing a true copy thereof, enclosed in a sealed envelope, with delivery charges prepaid, to be sent by **United Parcel Service**, addressed as shown below.

I declare under penalty of perjury that the foregoing is true and correct, and that I am employed in the office of a member of the Bar of this Court at whose direction the service was made.

Executed on March 27, 2013, at San Jose, Santa Clara County, California.

  
\_\_\_\_\_  
Olesya Oleynik

**NAME AND ADDRESS OF EACH PERSON SERVED:**

RAYMOND SMITH  
PO BOX 2381  
LOS GATOS, CA 95031